

JS-6

DEATH PENALTY CASE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JESSE JAMES ANDREWS,) Case No.: CV 02-8969-R
Plaintiff,) JUDGMENT
vs.)
R.K. WONG, Acting Warden,)
California State Prison at San Quentin,)
Defendant)

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the First Amended Petition for Writ of Habeas Corpus is CONDITIONALLY GRANTED IN PART as follows:

The First Amended Petition for Writ of Habeas Corpus as to the sentence of death in the case of *People of the State of California v. Jesse James Andrews*, Case No. A-364296 of the Superior Court of State of California in and for the County of Los Angeles is hereby GRANTED. The sentence of death shall be VACATED.

IT IS FURTHER ORDERED that the State of California shall, within 120 days from the entry of this Judgment, either grant Petitioner a new penalty phase

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1 trial, or vacate the death sentence and resentence the Petitioner in accordance with
2 California law and the United States Constitution.

3 IT IS SO ORDERED.
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5 Dated: July 27, 2009

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MANUEL L. REAL
UNITED STATES DISTRICT JUDGE